



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Chou et al.
TITLE : REMOTE ORDER ENTRY SYSTEM
AND METHOD
APPLICATION NO. : 09/750,635
FILED : December 28, 2000
CONFIRMATION NO. : 6973
EXAMINER : Douglas B. Blair
ART UNIT : 2142
ADVISORY ACTION : August 29, 2006
ATTORNEY DOCKET NO. : A0773-US-NP
XERZ 2 00396

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is(are) aware. A copy of PTO/SB/08 Form (renumbered from PTO 1449) is enclosed.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein or submitted herewith is "prior art" for this invention unless specifically designated as such.

In accordance with the United States Patent and Trademark Office OG Notice dated 05 August 2003, waiving the requirement under 37 C.F.R. §1.98(a)(2)(i), for submitting a copy of each cited U.S. patent and U.S. patent application publication for all

U.S. national patent applications filed after June 30, 2003, Applicant(s) has not enclosed copies of the cited U.S. patents and applications with this Disclosure.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed art requires no further explanation (or no translation is available). (IF APPLICABLE, please add:) All of the cited and/or included references were cited by the European Patent Office in a related application(s).

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

☐ **WITHIN THREE MONTHS OF FILING:** Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the filing date of the application (or date of entry of the national stage). Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☒ **BEFORE FIRST OFFICE ACTION:** Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☐ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH STATEMENT:** Under § 1.97(c)(1), this information shall be considered if filed before the mailing date of a final action, or a Notice of Allowance or action that otherwise closes prosecution in the application if accompanied by the statement:

Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☐ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **AFTER FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/AND ON OR BEFORE PAYMENT OF THE ISSUE FEE:**

1. Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; **or**

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **and**

2. ☐ the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **PRIORITY CLAIM:** The attached PTO /SB/08 Form includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of this application.

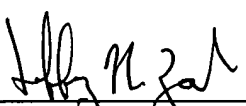
Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to Deposit Account No. 24-0037.

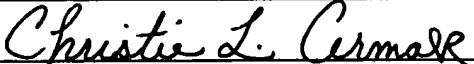
Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

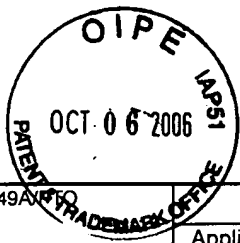
10/4/2006

Date


Patrick R. Roche, Reg. No. 29,580
Jeffrey N. Zahn, Reg. No. 54,864
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

| CERTIFICATE OF MAILING OR TRANSMISSION | |
|--|--|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being | |
| <input checked="" type="checkbox"/> | deposited with the United States Postal Service as First Class Mail addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. |
| <input type="checkbox"/> | transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below. |
| Express Mail Label No.: | Signature:  |
| Date: <u>Oct. 4, 2006</u> | Name: Christie L. Cermak |

N:\XERZ\200396\cld0002552\0001.doc



Substitute for form 1449A (10-01-00)

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT(S)**

| | |
|----------------------|---------------------------|
| Application Number | 09/7570,635 |
| Filing Date | December 28, 2000 |
| First Named Inventor | Chien-Sheng Chou |
| Art Unit | 2142 |
| Examiner Name | Douglas B. Blair |
| Attorney Docket No. | A0773-US-NP /XERZ 2 00396 |

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Document No. Number-Kind Code (if known) | Publication/Issue Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|----------|--|-----------------------------------|---|---|
| | AA | US-5,970,475 | 10-19-1999 | Barnes et al. | |
| | AB | US-5,845,265 | 12-01-1998 | Woolston | |
| | AC | US-6,415,320 | 07-02-2002 | Hess et al. | |
| | AD | US-6,636,863 | 10-21-2003 | Friesen | |
| | AE | US-5,987,423 | 11-16-1999 | Arnold et al. | |
| | AF | US-6,016,504 | 01-18-2000 | Arnold et al. | |
| | AG | US-6,282,517 | 08-28-2001 | Wolfe et al. | |
| | AH | US-6,694,365 | 02-17-2004 | Wygarden | |
| | AI | US-6,266,651 | 07-24-2001 | Woolston | |
| | AJ | US-2002/0099796 | 07-25-2002 | Chou | |
| | AK | US- | | | |
| | AL | US- | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T |
|--------------------|----------|--|-----------------------------|---|---|--------------------------|
| | | Country Code-Number Kind Code (if known) | | | | |
| | AM | CA 232 0413 A1 | 09-15-2001 | St-Denis | | <input type="checkbox"/> |
| | AN | | | | | <input type="checkbox"/> |
| | AO | | | | | <input type="checkbox"/> |
| | AP | | | | | <input type="checkbox"/> |

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T |
|--------------------|----------|--|--------------------------|
| | AQ | | <input type="checkbox"/> |
| | AR | | <input type="checkbox"/> |
| | AS | | <input type="checkbox"/> |
| | AT | | <input type="checkbox"/> |
| | AU | | <input type="checkbox"/> |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|